

Attachment # 5Page 1 of 1

From: Suzanne Schmith
To: Johnson, Gary
Date: 1/29/04 11:30AM
Subject: Re: Address Steering Committee Authority

Gary, Mike and Lisa,

From everything we've read, there is nothing requiring the Addressing Steering Committee from making a recommendation, rather than a final decision, regarding the three scenarios for the naming of the new elevated roadway being constructed as a part of the North Blairstone Road Project. The adopted ordinance (Article XVI of the Leon County Code) delegates authority from the Board of County Commissioners directly to the Growth and Environmental Management division to name streets and assign addresses. If the division chooses to use a committee of interested and affected agencies in that decision-making process, that is fine, but the final binding decision must come from GEM. If GEM wishes Board input on the subject, an agenda request is in order. This would not be an "appeal" to the Board, but a request for direction. (As an aside, we note that the authority, duties and establishment of the ASC is not located within the Leon County Code and should be clarified).

On the issue of granting variances from the code requirements for addressing and street naming, the Board of Adjustment and Appeal would not have authority to do so. Neither would this fall within the authority of the Director of Development Services to grant a deviation since no site plan is at issue. The decision among street naming scenarios should be made after consideration of all the street-naming criteria as a whole. Please consult with our office if interpretations of particular criteria are at issue.

Suzanne

>>> Gary Johnson 01/27/04 02:01PM >>>

Yes, I will have Lisa Oglesby call you on this issue. Again, thank you for your last minute review of this issue and I apologize again for the inconvenience.

>>> Suzanne Schmith 01/27/04 01:40PM >>>

Can someone fill us in on what scenario 3 is?

>>> Gary Johnson 01/27/04 12:10PM >>>

The legal question that I have is as follows. Does the ASC have the authority to defer a street naming decision, and make a recommendation to the County or City Commission, rather than making a decision. The Uniform Addressing Ordinance is totally clear to me on this issue.

If scenario 3 is selected there are certain aspects of the code that would not be adhered to and the question is can the Board of Adjustment and Appeals grant a variance or can the County Administrator or City Manager issue a variance as per the Uniform Addressing Code (10-2008)? Specifically 10-2006(b)(1) is a major concern of non-compliance with the ordinance

Furthermore, the ASC is meeting on this Thursday to discuss the Blairstone Road/Centerville re-naming request. I apologize for the lateness of this request in advance. Thank you for your assistance.

CC: Clark, Mike; McDevitt, David; Oglesby, Lisa; Thiele, Herb

00. 30